

# U.S. Moves in Two Courts To Keep Hoffa Behind Bars

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The Justice Department has moved in two courts to make sure that James R. Hoffa stays in prison to serve his time for jury-tampering.

In the U.S. Supreme Court, the department yesterday urged the justices to turn down two new requests that the Teamsters Union president be set free on bail from the Lewisburg, Pa. prison.

In a U.S. District Court in Chattanooga, the department asked the judge to throw out Hoffa's fourth attempt to get a new trial on jury-tampering charges.

Hoffa began serving his eight-year sentence Tuesday.

The department's Chattanooga request was accompanied by affidavits in which present and former government officials made a point-by-point denial of Hoffa's charges of federal wiretapping and eavesdropping on him during his 1964 trial.

In addition, the papers included three affidavits by bellboys at Chattanooga hotels saying

they had been offered money to testify falsely that the government had used "bugging" devices at the hotels to spy on Hoffa or the jury that tried him.

## Hoffa's Strategy

The Teamster leader's charges of widespread electronic surveillance on him have been the basis of a series of moves, either to gain him a new trial or at least to get him temporarily freed while the charges are considered in court.

Hoffa's lawyers have been seeking his freedom on a writ of habeas corpus because of the alleged eavesdropping and other official misdeeds which he alleges. The writ has been turned down by a U.S. District Court here, and that decision is now on appeal.

On Thursday, the union chief's attorneys asked Chief Justice Earl Warren to set him free on bail until the writ issue is finally decided. The attorneys also asked Supreme Court Justice Potter Stewart to free Hoffa on bail until the fourth motion for a new trial is settled.

Yesterday, Solicitor Gen. Thurgood Marshall told the court the government is opposed to both requests. He said the habeas corpus move was "wholly insubstantial" and that it was filed in the wrong court.

Marshall said the request for freedom pending outcome of the new trial motion could lead to Hoffa's remaining free for years if he once got out on bail. Hoffa could press new motions for another trial for two more years, Marshall advised the court.

## Full-Scale Bugging Denial

The department's filing in Chattanooga, opposing the new trial request, contained the first full-scale denial of the wiretapping and eavesdropping charges.

As soon as Hoffa levelled those charges in January, the department issued a general denial. Yesterday's affidavits in the Tennessee court dealt specifically and in detail with the charges.

"We do deny all allegations of wrongdoing on the part of the government," U.S. Atty. J. H. Reddy told the federal court. Not only did he say the charges did not warrant a new trial, Reddy also contended the court should deny the new trial request even without holding a hearing on the charges.

Several of the affidavits filed by Reddy contained detailed denials of eavesdropping charges made by a man described by Hoffa's lawyers as a former paid FBI informant, Benjamin D. Nichols of Heiskell, Tenn.

Countering Nichols' claim that he had been paid \$200 a month regularly to get information for the FBI and another \$842 just for work he did in eavesdropping on Hoffa, an FBI agent said in an affidavit that Nichols received only \$373.50 and that none of this was for work on the Hoffa case, in which Nichols was not involved.

## Hoover Aide Replies

Cartha D. DeLoach, an assist-

ant to FBI Director J. Edgar Hoover, gave an affidavit to reply to a claim that he had told a newspaper publisher that former Atty. Gen. Robert Kennedy had an eavesdropping team working on the Hoffa case.

That claim had been made by William Loeb, publisher of the Manchester (N.H.) Leader. DeLoach denied telling Loeb any of the things the publisher had attributed to him. DeLoach said Loeb had offered \$100,000 to Hoover or his favorite charities if Hoover would say that Kennedy "had placed a listening device on Hoffa."

Others who denied yesterday that there had been any eavesdropping on Hoffa by the department were a former assistant attorney general, Herbert J. Miller Jr.; Walter Sheridan, a former aide to Kennedy, and the two attorneys who prosecuted Hoffa for the government, John J. Hooker and James F. Neal.